

Message Text

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64

ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 NSCE-00 /026 W
----- 072032

O 281736Z JAN 76

FM AMEMBASSY ANKARA

TO SECSTATE WASHDC IMMEDIATE 2196

INFO SECDEF WASHDC IMMEDIATE/ZFF

AMEMBASSY ATHENS

AMEMBASSY NICOSIA

AMCONSUL ADANA

AMCONGEN ISTANBUL

AMCONSUL IZMIR

USMISSION USNATO

DIRNSA WASHDC

USNMR SHAPE

CINCUSAFE

CINCEUR

USDOCOSOUTH NAPLES

CINCUSAREUR

RUDONBABXCINCUSNAVEUR LONDON

S E C R E T ANKARA 0735

EXDIS

MILITARY ADEES HANDLE AS SPECAT EXCLUSIVE

E.O. 11652: GDS

TAGS: MASS, MARR, PFOR, TU

SUBJECT: TURKISH BASE NEGOTIATIONS: OPERATIONS AND MAINTENANCE
COSTS

REF A) STATE: 17803 DTG 232228Z JAN 76, B) STATE 5335

DTG 090115Z JAN 76, C) ANKARA 0711 DTG 272035Z JAN 76,

1. THE FOLLOWING IS U.S. TEAM PROPOSAL OF NEW LANGUAGE
FOR OPERATIONS/MAINTENANCE COSTS ARTICLE (U.S. ARTICLE IX
AND TURKISH ARTICLE XIV).

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BEGIN TEXT:

1. EXCEPT AS PROVIDED IN PARAGRAPH 2 BELOW, THE COSTS OF OPERATION AND MAINTENANCE AND THE COSTS OF MUTUALLY AGREED CONSTRUCTION, MODERNIZATION, ALTERATION AND REPAIRS AT THE INSTALLATIONS SHALL BE PAID BY THE UNITED STATES TO FURTHER THE PURPOSES SET FORTH IN PARAGRAPH 1 OF ARTICLE (U.S. ASSISTANCE ARTICLE).

2. THE MAINTENANCE AND REPAIR COSTS OF PREMISES EXCLUSIVELY UTILIZED BY PERSONNEL OF ONE PARTY, SUCH AS LIVING QUARTERS, DINING HALLS AND SOCIAL WELFARE FACILITIES, SHALL BE MET BY THAT PARTY.

3. THE COSTS OF EXTENSIONS OF LOCAL UTILITIES TO THE PERIMETER OF THE INSTALLATIONS AND THE COSTS OF THEIR MAINTENANCE AND REPAIR SHALL BE MET AS MUTUALLY AGREED BETWEEN THE APPROPRIATE AUTHORITIES OF THE TWO GOVERNMENTS. THE SAID UTILITIES AND THEIR MAINTENANCE AND REPAIR SHALL BE PROVIDED BY THE GOVERNMENT OF THE REPUBLIC OF TURKEY. END TEXT

2. THIS PROPOSAL DROPS THE PREVIOUS PROPORTIONAL USAGE FORMULA IN PARA ONE, IN FAVOR OF CREATING A LINK BETWEEN OPERATIONS AND MAINTENANCE COSTS AND THE ASSISTANCE ARTICLE (REF A). PREVIOUS WASHINGTON INSTRUCTIONS (REF B) STATED A PREFERENCE THAT THE SPECIFICS OF LINKAGE NOT BE DISCUSSED UNTIL THE ASSISTANCE ARTICLE WAS NEGOTIATED. U.S. TEAM BELIEVES THE TIME HAS NOW COME TO ADDRESS THE ISSUE, IN VIEW OF CURRENT EFFORT HERE (REF C, PARA 15) TO CLEAR UP OUTSTANDING ISSUES TO MAXIMUM EXTENT PRIOR TO CAGLAYANGIL'S WASHINGTON VISIT.

3. WE HAVE ADOPTED THE TURKISH PARA 2 BUT IMPARTED MUTUALITY TO IT TO MAKE IT CLEAR THAT THE U.S. WILL ALSO PAY MAINTENANCE AND REPAIR COSTS FOR PREMISES EXCLUSIVELY UTILIZED BY ITS OWN PERSONNEL. THIS IS AN OBLIGATION WHICH WE OBVIOUSLY MUST ASSUME, THUS WE SEE NO HARM IN STATING IT. WE HAVE SUBSTITUTED "LIVING QUARTERS" FOR "DORMITORIES" IN THE TURKISH FORMULATION
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AS THE FORMER TERM WILL ALSO ENCOMPASS U.S. AND TURKISH FAMILY HOUSING.

4. IN THIS DRAFT WE HAVE RETAINED THE ORIGINAL U.S. FORMULATION FOR PARA 3 AND THIS IS THE FORMULATION WE PLAN TO INITIALLY PROPOSE TO THE TURKISH TEAM. HOWEVER, WE WOULD LIKE TO HAVE THE FLEXIBILITY TO PRESENT THE FOLLOWING TEXT OF PARA 3 AS A FALLBACK.

BEGIN TEXT:

3. THE COSTS OF EXTENSIONS OF LOCAL UTILITIES
TO THE PERIMETER OF THE INSTALLATIONS SHALL BE MET AS
MUTUALLY AGREED BETWEEN THE APPROPRIATE AUTHORITIES OF
THE TWO GOVERNMENTS. END TEXT.

THIS FORMULATION WOULD GIVE THE U.S. A VETO OVER PAYING
FOR UTILITIES EXTENDED FOR THE SOLE BENEFIT OF THE
TURKISH COMMANDER, BUT IT DOES ACKNOWLEDGE THAT
REALISTICALLY THE U.S. MUST ASSUME THE BURDEN OF OTHER
UTILITY-RELATED COSTS.

5. WASHINGTON APPROVAL REQUESTED FOR TABLING THE
ABOVE TEXT, INCLUDING THE FALLBACK TEXT FOR PARA 3,
IF NEEDED, AT THE WORKING GROUP LEVEL IN NEAR FUTURE.
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Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENTS, MILITARY BASES, NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 28 JAN 1976
Decaption Date: 28 MAY 2004
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: vogelfj
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976ANKARA00735
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760032-0975
From: ANKARA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760115/aaaaamxf.tel
Line Count: 133
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION SS
Original Classification: SECRET
Original Handling Restrictions: EXDIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: SECRET
Previous Handling Restrictions: EXDIS
Reference: 76 STATE 5335
Review Action: RELEASED, APPROVED
Review Authority: vogelfj
Review Comment: n/a
Review Content Flags:
Review Date: 15 JAN 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <15 JAN 2004 by morefirh>; APPROVED <24 AUG 2004 by vogelfj>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: TURKISH BASE NEGOTIATIONS: OPERATIONS AND MAINTENANCE COSTS
TAGS: MASS, MARR, PFOR, TU, US
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006